

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

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| SHARON GOODEN, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Case No. 12-00286-CV-W-DGK |
| |) | |
| CITY OF NORTH KANSAS CITY, |) | |
| MISSOURI, et al., |) | |
| |) | |
| Defendants. |) | |

**DEFENDANTS' THIRD MOTION FOR EXTENSION OF TIME TO FILE
JOINT REPORT ON DISCOVERY CONFERENCE
AND PROPOSED SCHEDULING ORDER**

COME NOW Defendants City of North Kansas City and Clay County, by and through their undersigned counsel of record, pursuant to Fed. R. Civ. P. 6(b), and respectfully move this Court to enter a third enlargement of time allowing the parties through and until August 6, 2012, in which to file their Joint Proposed Scheduling Order and Discovery Plan. As grounds for their Motion, Defendants state and allege to the Court as follows:

1. On May 18, 2012, this Court issued its Order (Doc. No. 31) setting July 2, 2012, as the deadline for the parties to file their Joint Proposed Scheduling Order and Discovery Plan.
2. On July 2, 2012, Defendants filed their original Motion seeking additional time to file that Joint pleading.
3. On July 3, 2012, this Court issued its Order (Doc. No. 39), allowing the parties through and until July 23, 2012, in which to file their joint proposed scheduling Order.
4. On July 23, 2012, Defendants filed their Second Motion seeking an extension of time in which to file their Joint Proposed Scheduling Order. (Doc. No. 40).

5. On July 27, 2012, this Court issued its Order (Doc. No. 41) granting the parties through and until July 30, 2012, in which to file their proposed scheduling Order.

6. Despite the fact that Defendants' counsel has forwarded to Plaintiff the proposed scheduling Order and asked her to provide authority to execute the document and file it, no response of any nature has been received from Plaintiff.

7. This is the last request seeking an enlargement of time to file the proposed scheduling Order Defendants intend to file. Pursuant to Local Rule 16.1(e), Plaintiff has an obligation to participate in good faith in the steps necessary to prepare the proposed scheduling Order. If Plaintiff persists in failing to cooperate by August 6, 2012, Defendants stand ready to file their proposed scheduling Order and bring Plaintiff's failure to cooperate to the Court's attention.

8. Over the past several days, Defendants' counsel's office has left several voice mails with Plaintiff asking her to contact Defendants' counsel, but no return telephone calls have been received. Additionally, on the same day this pleading is being filed, Defendants' counsel is writing another letter to Plaintiff asking her to contact him about the proposed scheduling Order.

9. Hopefully, extending the deadline to file the proposed scheduling Order to December 6, 2012, will give Plaintiff sufficient opportunity to contact Defendants' counsel's office about this matter.

10. Pursuant to Fed. R. Civ. P. 6(b), this Court is empowered to grant the relief sought herein.

WHEREFORE, based upon the above and foregoing, Defendants respectfully pray this Court to issue its Order allowing the parties through and until August 6, 2012, in which to file their Joint

Report on Discovery Conference and Proposed Scheduling Order, together with such other and further relief as this Court deems just and appropriate.

Respectfully submitted,

FISHER, PATTERSON, SAYLER & SMITH, LLP

/s/ David S. Baker
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Attorney for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of July, 2012, I electronically filed the above and foregoing with the Clerk of the Court using the CM/ECF system. I further certify that I have caused to be served on the following a true and correct copy of the above and foregoing by depositing same in the United States Mail, postage prepaid, on the 30th day of July, 2012:

Sharon Gooden
P.O. Box 15301
Shawnee Mission, KS 66285
Pro Se Plaintiff

/s/ David S. Baker
DAVID S. BAKER